




1625
f

AMENDMENT TRANSMITTAL LETTER			ATTORNEY DOCKET 1662/52602			
SERIAL NUMBER 03/841,025	FILING DATE April 24, 2001	EXAMINER Evelyn M. Huang	ART UNIT 1625			
INVENTION TITLE ZOLPIDEM HEMITARTRATE		APPLICANT SALYI, et al.				
Commissioner of Patents and Trademarks Washington, DC 20231			RECEIVED AUG 05 2002			
Transmitted herewith is: A. Amendment in response to Office Action dated April 30, 2002						
1. The filing fee has been calculated as shown below:						
	CLAIMS AFTER AMENDMENT		MOST CLAIMS PAID FOR	NUMBER EXTRA	RATE (\$)	FEE (\$)
TOTAL CLAIMS	137	-	123	14	18.00	252.00
INDEPENDENT CLAIMS	44	-	66	0	84.00	0.00
MULTIPLE DEPENDENT CLAIM ADDED			0	0		0.00
					TOTAL	252.00
If applicant is a small entity under 37 C.F.R. §1.9 and §1.27, then divide total fee by 2, and enter amount here.					Small Entity	
					TOTAL	252.00
The Commissioner is hereby authorized to charge any fee or credit any overpayment, to Kenyon & Kenyon's Deposit Account No. 11-0600 for:						
a. Any additional filing fees required under 37 C.F.R. § 1.16.						
b. Any patent application processing fees under 37 C.F.R. § 1.17.						
Date: July 30, 2002			 W. David Wallace (Reg. No. 42,210)			
KENYON & KENYON 1500 K Street, N.W., Suite 700 Washington, D.C. 20005 (202) 220-4200 -- Telephone (202) 220-4201 -- Facsimile						



Docket No.: 1662/52602

Serial No.: 09/841,025

Handwritten signature and date 8/29/02.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT : SALYI ET AL.
SERIAL NO. : 09/841,025
FILING DATE : April 24, 2001
FOR : ZOLPIDEM HEMITARTRATE
GROUP ART UNIT : 1625
EXAMINER : Evelyn M. Huang

RECEIVED

AUG 05 2002

TECH CENTER 1600/2900

**RESPONSE TO ELECTION REQUIREMENT UNDER 35 U.S.C. § 121 AND
PRELIMINARY AMENDMENT**

Responsive to the Office Action dated April 30, 2002, which set a one-month shortened statutory period of response, the Applicants submit the following election and remarks. Applicants respectfully request a two-month extension of time. A Fee Transmittal is attached. The Office is authorized to charge or debit any underpayment or overpayment to Deposit Account 11-0600.

08/30/2002 JWSHNG 00000001 110600 09841025

Election and Remarks

01 FC:116 400.00 CH

The Examiner has required Applicants to elect one of nine species pursuant to 35 U.S.C. § 121. Claims 1-9 and 116-121 are said to be generic.

Applicants elect to prosecute those claims that read on the Form D monohydrate species. However, Applicants respectfully request that the Examiner reconsider whether other forms of Form D, such as a solvate, should be considered together with the monohydrate; Applicants note that the Examiner has not identified any species in which a solvate of Form D can be included.

The invention is directed to, *inter alia*, hydrates, solvates and anhydrous forms of zolpidem hemitartrate. Applicants include herewith a preliminary amendment in which the claims are reordered to clarify the relationship between various aspects of the invention. Thus, referring to the claims in the preliminary amendment, Applicants believe that the following

08/01/2002 GWORDF1 00000025 110600 09841025

01 FC:103 252.00 CH